

**COMMONWEALTH OF MASSACHUSETTS**  
**DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

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Bay State Gas Company

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D.T.E. 06-31

**PETITION OF NEW ENGLAND GAS COMPANY REQUESTING LIMITED  
PARTICIPANT STATUS**

Pursuant to 220 C.M.R. § 1.03, New England Gas Company ("Company") hereby petitions the Department of Telecommunications and Energy ("Department") to participate in the above-captioned proceeding as Limited Participants. In support of its petition, the Company states the following:

1. The Company is the New England operating division of Southern Union Company. The Company is a Massachusetts gas company, as defined in G.L. c.164, § 1, provides retail service in Massachusetts through its Fall River and North Attleboro service areas and is subject to the regulatory jurisdiction of the Department.
2. The Company's usual place of business is:

New England Gas Company  
100 Weybosset Street  
Providence, Rhode Island 02903
3. On April 18, 2006, Bay State Gas Company ("Bay State") filed with the Department a petition pursuant to 220 C.M.R. §§ 1.04(1), requesting that the Department determine that Bay State complies with the staffing level requirements of G.L. c. 164, § 1E(b). As part of its request, Bay State asks the

Department to take administrative notice of the evidentiary record in D.T.E. 05-27 to the extent such evidence is necessary to make such a finding. The Department docketed the petition as D.T.E. 05-27.

4. In conducting adjudicatory hearings, the Department “may allow any person showing that he may be substantially and specifically affected by the proceeding to intervene as a party in the whole or any portion of the proceeding, and allow any other interested person to participate by presentation of argument orally or in writing, or for any other limited purpose,” as the Department may order.

G.L. c. 30A, § 10(4); 220 C.M.R. § 1.03(1)(b).

5. The Department’s investigation in this proceeding may raise substantial service quality and related issues that are common to other gas companies in Massachusetts, including the Company.
6. In addition, good cause exists for allowing this petition because: (1) the procedural conference for the proceeding has not yet been held; (2) the Company’s Limited Participant status will not jeopardize the efficiency of the Department’s investigation in any material way; and (3) the Company was granted limited participant status in D.T.E. 05-27, from which the underlying issues in this proceeding arise, and (4) counsel for the Company has contacted counsel for Bay State concerning its interest in this case and can represent that Bay State does not object to the Company being granted Limited Participant status.
7. Accordingly, the Company seeks to participate in this proceeding as a Limited Participant with rights to receive copies of all pleadings, discovery requests and

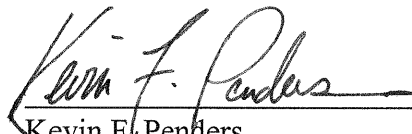
responses and to file brief(s) in accordance with the procedural schedule to be established by the Department.

**WHEREFORE**, for the reasons stated above, New England Gas Company respectfully requests that this Petition to Participate as a Limited Participant in the above-referenced proceeding be granted. The Company hereby notices the appearance of the undersigned counsel. Please send one copy of all notices, testimony, pleadings and correspondence pertaining to this proceeding to counsel as shown below.

Respectfully submitted,

**NEW ENGLAND GAS COMPANY**

By Its Attorney,

A handwritten signature in black ink, appearing to read "Kevin F. Penders", is written over a horizontal line.

Kevin F. Penders  
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(401) 751-0698 (fax)

Date: May 31, 2006